

**STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

IN RE: BARD IVC FILTERS )  
 PRODUCTS LIABILITY LITIGATION ) No. MD-15-02641-PHX-DGC  
 )  
 )

This document applies to:

Oma Hardwick, Case No. 16-cv-2442

## **PLAINTIFFS' MOTION TO REMAND**

Pursuant to 28 U.S.C. §1447(c) and for the reasons set forth in Plaintiffs' Memorandum in Support of their Motion to Remand, which Plaintiffs incorporate herein by reference, the federal judiciary lacks subject matter jurisdiction over this case, which was improperly removed to federal court. The Notice of Removal relies on alleged diversity of citizenship. However, it is uncontested that Plaintiff Rudolph Iglewski and Defendant Bard Peripheral Vascular, Inc. share Arizona citizenship. [Doc. 1, page 10]. Plaintiffs respectfully request that prior to consideration of Defendants' dismissal motion, this Court: grant Plaintiffs' motion to remand, remand this action to the Circuit Court for the Twenty-Second Judicial Circuit, St. Louis City, Missouri, wherein it was originally filed; order that the clerk strike the case from the federal docket and send a certified copy of the remand order to the state Circuit Court clerk; and, for such other and further relief as may be just and proper.

Respectfully Submitted,

/s/ John J. Driscoll

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 6, 2016, a copy of the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system on all counsel of record.

/s/ John J. Driscoll

John J. Driscoll